

REMARKS

Claims Rejections 35 USC 112

Claim 63 has been amended herein and is submitted for review. Claim 63 has been amended to address the Examiners objections to the “128 bit encryption and the use of a unique identifier that corresponds to a users name.” The amendments to this claim are supported in the specification. There are numerous references in the specification that reference the need for encrypted and secure documents and a high degree of security for the overall system. Specifically paragraphs 6 and 7 of the Summary of the Invention make reference to software encryption and security identifiers to maintain the security and integrity of the system, and to limit use to authorized persons and storage devices. Paragraph 7 describes “This smart software allows for recognition of encrypted security markers to eliminate unauthorized entry to the devices and well as for anti fraud purposes during data transmission.” Therefore, the applicant respectfully submits that he has addresses the Examiners 112 objection with this claim amendment. According, the objection under 35 USC 112 should be withdrawn and this claim should be allowed

Claim 67 is rejected under 35 USC 112 and being indefinite and failing to point out and distinctly claim the subject matter of the invention. The Examiner point out that use of the language “compatible and seamless use and operation... is arbitrary statement. Accordingly, the applicant has amended claim 67 to address

this 112 objection. Specifically the applications has added the wording “by use of common software and software operating platform” to add a concrete limitation to the claim. This concrete limitation is supported in the specification in a number of sections and more specifically Reference figure 2 section has the language “These patient files are organized through the software into a plurality of standard software formats including ASCII type files so as the be retrievable and readable using standard software packages in conjunction with the unique encryption software described.” And further, the Summary of the Invention section contains the language “The system comprises.....-software which is compatible with the software and organization platform of the Bodily Worn devices for retrieving, organizing and displaying the stored records in rapid format for emergency situations.” Therefore, the 112 objection has ben addressed by this concrete limitation. Accordingly, this 112 objection should be withdrawn and claim 67 should be allowed.

Claims Rejections 35 USC 103

Amended claims 58, 63, 67, and 68 are amended and pending in the application and are submitted for review.

Claims 58 and 68 are independent claims. These claims have been amended to further specify and distinguish the art claimed within this application. These amendments have been also made to further distinguish the art in this application from the prior art sited, including Bisbee 5,615,268. As previously mentioned in

the opening remarks of this RCE (and per the teleconference of 6/30/06 with the Examiner) the Applicant respectfully pointed out that the Examiner is interpreting the prior art of Bisbee in such a way that the Examiner is concluding (in the final office action) that Bisbee (abstract and col 1 Ln 9-11) teaches one of the elements of the Applicant's Independent claims 58 and 68. The Applicant respectfully pointed out in the teleconference that Bisbee is not teaching an element of claims 58 and 68 and there is confusion on the Examiners part regarding the element of claim 58 "means of recognizing and authenticating said storage device via a unique digital identifier stored in said storage device when said storage device is ported to said computer devices."

The Applicant pointed out that the storage device in his invention is hardware in the form of the bodily worn device described in his specification in the form of a bracelet, pendant and other hardware forms shown clearly in the drawings of this application. It is clear from reviewing Bisbee 5,615,268 that Bisbee teaches an authentication, storage and retrieval of digital documents, which he describes in detail and defines as electronic digital files or "software" so as to eliminate paper in commercial transactions. In no way does Bisbee teach bodily work storage devices for the storage of electronic documents. Specifically in figure 3 of Bisbee, Bisbee teaches a computer system of stationary hardware in the form of personal computers for the transfer of electronic documents within his system. In Bisbee's Abstract he very clearly describes authenticating digital documents that take the place of paper in commercial transactions. Bisbee's figure 6 clearly teaches the authentication of digital loan documents being transferred within a stationary computer system. In no way does Bisbee teach the use of bodily worn storage devices used to carry medical records that can be authenticated by a computer system. To further clarify and distinguish my art from Bisbee, and specifically this issue of hardware bodily worn storage devices (my art) from electronic digital document files (Bisbee), the Applicant has herein amended independent claims 58 and 68, and also amended the specification. Independent claims 58 and 68 have been amended to

clearly teach the use of "bodily worn storage devices" that are used to store and carry digital documents created by the system described in the application. The applicant believes the use of the term "bodily worn storage device" is clearly taught in the original specification. Nevertheless, to more clearly distinguish and define the term "bodily worn storage devices" the applicant has further amended the specification in the **Summary of Invention** section to more clearly define the term bodily worn storage device as it is used in this application. Therefore, it is respectfully submitted that these amendments to claims 58 and 68 address the 35 USC 103 obvious rejections outlined in the Office Action. Yeager, in light of Seller, Wilcox and Bisbee to not teach each and every element of the claim limitations of amended claims 58 and 68 to support an obviousness claim. In addition, it would not have been obvious to one skilled in the art to make the combinations of elements contained in these amended claims particularly in light of Yeager, Wilcox, Sellers, and Bisbee. In addition, there is no suggestion of motivation on the part of Yeager, Wilcox, Sellers, and particularly Bisbee to make this combination of claim elements. In addition, there is no suggestion of a reasonable expectation of success on the part of Yeager, Wilcox, Sellers, and Bisbee for making the combination of elements contained in these amended claims. Therefore, the rejection of claims 58 and 68 under 35 USC 103 should be withdrawn, and these claims should be allowed.

Claims 59-67 are being rejected under 35 USC 103 as being unpatentable over Yeager, in light of Wilcox, Sellers and Bisbee. Claims 59-67 depend from claim 58. Therefore, the reasons set forth above distinguishing claim 58 apply equally here and are incorporated herein. Thus, for at least the above identified reasons Yeager in light of Seller, Wilcox and Bisbee does not teach each and every element of claims 59-67 to support an obviousness rejection under 35 USC 103. Therefore, the rejection of claims 59-67 under 35 USC 103 as being unpatentable over Yeager, in view of Wilcox, Sellers and Bisbee should be withdrawn.

Claims 69-77 are being rejected under 35 USC 103 as being unpatentable over Yeager in light of Wilcox, Sellers and Bisbee. Claims 69-77 depend from claim 68. Therefore, the reasons set forth above distinguishing claim 68 apply equally here and are incorporated herein. Thus, for at least the above identified reasons Yeager in view of Wilcox, Sellers, and Bisbee does not teach each and every element of claims 69-77 to support an obviousness rejection under 35 USC 103. Therefore, the rejection of claims 69-77 under 35 USC 103 as being unpatentable over Yeager in view of Wilcox, Sellers and Bisbee should be withdrawn.

The applicant respectfully submits that all 112 and 103 rejections to the claims have been addressed by virtue of these amended claims. The applicant respectfully requests that the examiner allow amended claims 58-77 as presented herein.

A handwritten signature in black ink, appearing to read 'W. Reeves', is written over a horizontal line.

William Reeves, Inventor-Applicant